

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO <b>SENTENCING MINUTE SHEET</b>													
CR No: 17-2955 WJ				USA vs.: Real									
Date: December 17, 2018				Name of Deft: Robert Real									
Before the Honorable: Chief District Judge William P. Johnson													
Time In/Out:		9:41am – 9:57				Total Time in Court (for JS10):				16 minutes			
Clerk:		R. Garcia				Court Reporter:				M. Loughran			
AUSA:		Paul Mysliwiec				Defendant's Counsel:				Jason Bowles			
Sentencing in:		Albuquerque, NM				Interpreter:				N/A			
Probation Officer:		George Rodriguez				Interpreter Sworn?				Yes		No	
Convicted on:		<input checked="" type="checkbox"/> Plea		<input type="checkbox"/> Verdict		As to:		<input type="checkbox"/> Information		<input checked="" type="checkbox"/> Indictment			
If Plea:		<input checked="" type="checkbox"/> Accepted		<input type="checkbox"/> Not Accepted		Adjudged/Found Guilty on Counts:							
If Plea Agreement:		<input checked="" type="checkbox"/> Accepted		<input type="checkbox"/> Not Accepted		<input type="checkbox"/> No Plea Agreement		Comments:					
Date of Plea/Verdict:		6/7/2018		Rev PSR:		<input checked="" type="checkbox"/> Not Disputed		<input type="checkbox"/> Disputed		<input checked="" type="checkbox"/> Courts adopts Revised PSR Findings			
Evidentiary Hrg:		<input checked="" type="checkbox"/> Not Needed		<input type="checkbox"/> Needed		Exceptions to PSR:							
<b>SENTENCE IMPOSED</b>				Imprisonment (BOP):		24 months, 24 months for Counts 1-3 and 6-7 to run concurrent, 12 months as to Counts 4 and 8 to run concurrent for a total of 24 months							
Supervised Release:		3 years, 3 years as to Counts 1-3 and 6-7 to run concurrent, 1 year as to Counts 4 and 8 to run concurrent for a total term of 3 years (The Defendant may be considered for early release from supervised release).						Probation:					
REC		500-Hour Drug Program		BOP Sex Offender Program		Other:							
ICE		Court recommends ICE begin removal proceedings immediately or during service of sentence								ICE not applicable			
<b>SPECIAL CONDITIONS OF SUPERVISION</b>													
		No re-entry without legal authorization						Home confinement for      months      days					
		Comply with ICE laws and regulation						Community service for      months      days					
<input checked="" type="checkbox"/>		Participate in random subst abuse testing						Reside halfway house      months      days					
		Participate in/successfully complete mental health program						Register as sex offender					
<input checked="" type="checkbox"/>		Refrain from use/possession of alcohol/intoxicants						Participate in sex offender treatment program					
<input checked="" type="checkbox"/>		Submit to search of person/property						Possess no sexual material					
		No contact with victim(s) and/or co-defendant(s)						No computer with access to online services					
		No entering or loitering near victim's residence						No contact with children under 18 years					
		Provide financial information						No volunteering where children supervised					
		Grant limited waiver of confidentiality						Restricted from occupation with access to children					
<input checked="" type="checkbox"/>		Refrain from use and possession of synthetic cannabinoids, etc.						No loitering within 100 feet of school yards					
		No possession of a firearm, ammunition, destructive device or any other dangerous weapon						Participate in an educational or vocational program approved by the Probation Officer					
OTHER:													
Fine: \$		10,000.00				Restitution: \$		0.00					
SPA: \$		550.00, \$100, as to Counts 1-3, and 6-7, and \$25 as to Counts 4, 8, for a total of \$550				Payment Schedule:		Due Immediately		Waived			
1. Deft must participate in an outpatient substance abuse treatment program and follow the rules and regulations of that program 2. Deft shall waive your right of confidentiality and allow the substance abuse treatment provider to release substance abuse treatment records to the probation officer and sign all necessary releases to enable the probation officer to monitor your progress 3. Deft must participate in a mental health treatment program and follow the rules and regulations of that program													

4. Deft shall waive your right of confidentiality and allow the mental health treatment provider to release treatment records to the probation officer and sign all necessary releases to enable the probation officer to monitor your progress 5. Deft must take all mental health medications that are prescribed by your treating physician 6. Deft must complete 50 hours of community service during the defendant term of supervised release			
	Advised of Right to Appeal	<b>X</b>	Waived Appeal Rights per Plea Agreement
	Held in Custody	<b>X</b>	Voluntary Surrender
<b>X</b>	Recommended place(s) of incarceration: FPC Yankton facility		
	Dismissed Counts:		
<p>OTHER COMMENTS:</p> <p>The Court notes it sustained the Defendant's objections from the prior hearing and established the correctly calculated guideline range as OL 15, CHC I, range of 18 to 24 months; inquires of the Government's re its position on sentencing.</p> <p>The Government requests a high end of the guideline range sentence and \$100,000.00 fine. Mr. Bowles argues for downward variance and, if a fine is imposed, that it be no more than \$15,000.</p> <p>Defendant addresses the Court.</p> <p>The Court formally accepts the plea agreement in this case.</p> <p>PO notes the Defendant has been fully compliant, therefore, the Court will grant voluntary surrender.</p>			